

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILMINGTON DIVISION  
NO. 7:08-CV-37-D

MYRA P. PHILLIPS )  
Plaintiff )  
vs. )  
MICHAEL J. ASTRUE, ) ORDER GRANTING ATTORNEY'S  
Commissioner of ) FEES PURSUANT TO  
Social Security Administration ) 42 U.S.C. § 406(b)  
Defendant )

On October 14, 2008 a Judgment and order were entered reversing the decision of the Commissioner under sentence four of 42 U.S § 405(g) and remanding this case to the Commissioner.

Pending before the Court is attorney James B. Gillespie, 's (Plaintiff's counsel) Motion for Attorney Fees Pursuant to 42 U.S.C. § 406(b). Plaintiff's counsel requests an award of attorney fees in the amount of \$12,177.63 from retroactive benefits of \$69,910.52.

Plaintiff's Counsel Motion is hereby GRANTED. Defendant is Ordered to pay \$12,177.63 to plaintiff's counsel, James B. Gillespie, pursuant to 42 U.S.C. § 406(b).

This the 18 day of May, 2010.

James Dever  
JAMES C. DEVER, III  
UNITED STATES DISTRICT COURT JUDGE